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C O N F I D E N T I A L SECTION 01 OF 03 BANGKOK 006523

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NSC FOR WILDER, MORROW
PACOM FOR FPA (HUSO)

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TAGS: [PREL](#) [PGOV](#) [KDEM](#) [PINR](#) [TH](#)
SUBJECT: DAS JOHN'S MEETING WITH MOD PERMSEC WINAI

Classified By: Ambassador Ralph L. Boyce. Reason 1.4 (B,D)

11. (C) Summary. In a wide-ranging meeting on October 24, EAP DAS Eric John told Ministry of Defense Permanent Secretary GEN Winai Phattiyakul that there is strong concern

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in Washington over the continued imposition of martial law and restrictions on civil liberties. Winai, who is also Secretary General of the Council on National Security (CNS)

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said that they are working on lifting martial law "as soon as possible" but cited several reasons for the delay, including a desire to keep Thaksin from coming back "too early." Winai also gave a passionate defense of the coup while acknowledging U.S. concerns. He urged DAS John to convey the message that the coup makers "don't want to hold on to power." Winai outlined Prime Minister Surayud's emphasis on improving policy in dealing with the restive South and his desire for a tougher line on Burma--"we will have a completely different policy than the last administration."
End Summary.

JUSTIFYING MARTIAL LAW

12. (C) DAS John, accompanied by the Ambassador, began by outlining strong U.S. concern over the continued imposition of martial law. GEN Winai said that the government is trying to lift martial law "as soon as possible." Winai explained that he had just spoken to Prime Minister Surayud Chulanont about this subject. The PM had tasked Winai and CNS leader GEN Sonthi Boonyaratglin to take a closer look at how "we can speed up the process." Lifting martial law will be easier once "the security situation" is under control.

13. (C) DAS John asked GEN Winai for clarification, citing the apparent calm in Bangkok (which Winai had pointed out first), progress in selecting a legislature and no apparent threats from Thaksin supporters. Why is martial law still in place? Winai said that martial law had minimal impact on "regular people." Having martial law now, before there is a problem, allowed the government to respond more effectively if one

arises, he claimed. Winai said that the government does not want to be forced to reinstate martial law at later date.

14. (C) When pressed further, Winai indirectly acknowledged that martial law allowed the interim government to block efforts by political parties to engage in "undesirable" public campaigns against the regime. "As soon as we lift (martial law), it will be full speed to the next election." Political parties are currently allowed to engage in private preparations for the election, but are barred from public attempts to "manipulate" the people or mount a challenge to national security. "We just don't want to see Thaksin and Thai Rak Thai come back too early." According to Winai, martial law in Thailand is not like martial law in other countries. Citing protests by some left-wing academics, Winai said "we let them protest for three days already...please understand, we are not a dictatorship."

15. (C) The Ambassador related comments made by other government officials citing vague security concerns that drove the military to launch the coup and justified the continued imposition of martial law. The Ambassador asked Winai if he could share specific, concrete details of either. On martial law, Winai cited "lots of intelligence" pointing to an "underground movement." Specific examples of this effort include leaflets in northern Thailand blaming Privy Councilor Prem Tinsulanond for "supporting the coup."

AN IMPASSIONED DEFENSE OF THE COUP

16. (C) Winai's explication that Thaksin supporters were planning on clashing with the PM's opponents soon expanded into a passionate defense of the coup itself. Winai claimed that, prior to the coup, Thaksin supporters had already secured mini-buses and vans in Bangkok to bring in the PM's supporters from up-country. Thaksin's allies wanted to bring in one million supporters to push back against a scheduled

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rally by the PM's opponents on September 20. Each Thai Rak Thai MP was charged with producing 3,000 volunteers from their province for the effort. Given the threat of bloodshed, GEN Sonthi and other military leaders felt they had no choice but to lead the coup. (Note: Several pro-coup figures have alleged that Thaksin supporters were plotting to violently confront participants at an anti-Thaksin rally scheduled for September 20, thus forcing the military seize power. End Note.)

17. (C) With obvious emotion in his voice, Winai went further; we "did not want to do that...did not want to have that." Winai said "we understand U.S. concerns," especially after calls by PACOM Commander ADM Fallon and frequent representations by Ambassador Boyce. "We don't want to impact relations with the U.S., the best friend we've had in the past 50 years." Winai continued to make an impassioned defense of the coup, painting a picture of instability generated by a never-ending cycle of anti-Thaksin rallies and a stubborn PM that would have resulted in violence. Only the celebrations of the King's 60th year on the throne had delayed such a violent confrontation, but it was coming.

18. (C) Moreover, the political system offered no clear way out. Thaksin had dissolved parliament--"what kind of democracy is that, not having a parliament for over a year?"--and there were no effective checks or balances on the PM's power. Thaksin himself had decided to step back from politics only to come back again. "Even though an election was in the near future, we could foresee that after the election, things will be the same, the big rallies will return. We regret that the military had to act." Winai asked that DAS John tell policymakers in Washington, "none of us in the CNS want to hold on to power."

MOVING ON

¶9. (C) Winai noted that the CNS had made good on its public pledges: drafting an interim constitution within twelve days, selecting an interim Prime Minister, and passing power to his government. The legislature had been selected and the process for selecting drafters for the new constitution was under way. According to Winai, it should take about six and a half months to draft a new constitution, a process that will be easier if the drafters work off of a previous charter as opposed to starting from scratch. Winai hopes that the government can hold elections by the end of next year at the latest.

THE SOUTH AND BURMA

¶10. (C) Turning to policy under the new administration, Winai confirmed that PM Surayud is intent on making changes to policy on the troubled South and Burma. Surayud wants to use less force in the South and emphasize justice. As part of this approach, he is planning on reinstituting the old Southern Border Provinces Administration Center (the central task force that Thaksin disbanded in 2002). On Burma, Winai said that the Surayud's well known desire for a tougher policy has not changed. "We will have a completely different policy from the past administration on Burma." In his calls on ASEAN capitals, Surayud will skip Rangoon. According to Winai, this decision "will make people on the border nervous...he is sending a strong signal."

WHAT TO DO ABOUT THAKSIN

¶11. (C) Winai turned to the Ambassador and with a sigh said, "tell me what do with a man who has 100 billion baht in his pockets." The Ambassador urged that any investigation into Thaksin's assets or political dealing be undertaken in a fair, transparent matter consistent with the rule of law. In fact, any trial or indictment should only occur under a new, democratically elected government. Winai nodded, but explained that the interim government is under a lot of

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pressure to go after Thaksin.

COMMENT

¶12. (C) Winai provided one of the most impassioned defenses of the coup we have heard to date. His explanation underscored the crux of the problem facing Surayud's interim government and the CNS: how to return to "normal" Thai democratic politics while ensuring that the "threat" posed by Thaksin has been neutralized.

BOYCE